

HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WSOU INVESTMENTS, LLC, d/b/a BRAZOS
LICENSING AND DEVELOPMENT,

Plaintiff,

v.

F5 NETWORKS, INC.,

Defendant.

No. 2:20-cv-01878-BJR

**STIPULATION REGARDING
FORTHCOMING ACTIONS AND TO
FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER
PLAINTIFF'S COMPLAINT**

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development ("WSOU") and Defendant F5 Networks, Inc. ("F5 Networks") (collectively, "Parties") by and through their respective counsel of record, respectfully submit this Stipulation regarding forthcoming actions and to further extend the time for F5 Networks to answer WSOU's Complaint for Patent Infringement.

The Parties hereby stipulate through their respective counsel as follows:

WHEREAS, on November 6, 2020, WSOU filed a Complaint for Patent Infringement against F5 Networks in the above-captioned action (Dkt. 1) ("Action");

WHEREAS, prior to filing this Action, on September 15, 2020, WSOU filed other Complaints for Patent Infringement against F5 Networks in the United States District Court for

STIPULATION RE FORTHCOMING ACTIONS
AND TO FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER PLAINTIFF'S COMPLAINT- 1
(CASE NO. 2:20-CV-01878-BJR)

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 the Eastern District of Virginia: (1) *WSOU Investments, LLC d/b/a Brazos Licensing and*
 2 *Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00719-JAG (“E.D. Va. Action
 3 1”), Dkt. 1; (2) *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant*
 4 *F5 Networks, Inc.*, Case No. 3:20-cv-00720-JAG (“E.D. Va. Action 2”), Dkt. 1; (3) *WSOU*
 5 *Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case
 6 No. 3:20-cv-00721-JAG (“E.D. Va. Action 3”), Dkt. 1; and (4) *WSOU Investments, LLC d/b/a*
 7 *Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00724-
 8 JAG (“E.D. Va. Action 4”), Dkt. 1) (collectively, “E.D. Va. Actions”);

9 WHEREAS, on November 6, 2020, F5 Networks waived the service of summons in this
 10 Action (Dkt. 6) and the E.D. Va. Actions (E.D. Va. Action 1, Dkt. 7; E.D. Va. Action 2, Dkt. 7,
 11 E.D. Va. Action 3, Dkt. 8; E.D. Va. Action 4, Dkt. 7);

12 WHEREAS, on December 30, 2020, the Parties filed a Stipulated Motion to Transfer this
 13 Action to the United States District Court for the Western District of Washington (Dkt. 15);

14 WHEREAS, on December 30, 2020, United States District Judge Leonie Brinkema
 15 ordered this Action to be transferred to the United States District Court for the Western District
 16 of Washington (Dkt. 24);

17 WHEREAS, on December 30, 2020, this Action was transferred to the United States
 18 District Court for the Western District of Washington (Dkt. 25);

19 WHEREAS, on January 6, 2021, the Clerk of the United States District Court for the
 20 Western District of Washington issued a letter acknowledging receipt of this Action from the
 21 United States District Court for the Eastern District of Virginia, and advising of the Action’s
 22 assignment to United States District Judge Barbara Rothstein;

23 WHEREAS, F5 Networks’s answer to WSOU’s Complaint in this Action was originally
 24 due January 5, 2021;

25
 STIPULATION REGARDING FORTHCOMING ACTIONS
 AND TO FURTHER EXTEND THE TIME FOR
 DEFENDANT TO ANSWER PLAINTIFF’S COMPLAINT - 2
 (CASE NO. 2:20-CV-01878-BJR)

CORR CRONIN LLP
 1001 Fourth Avenue, Suite 3900
 Seattle, Washington 98154-1051
 Tel (206) 625-8600
 Fax (206) 625-0900

1 WHEREAS, on January 12, 2021, the Parties filed a Stipulation to Extend the Time for
2 F5 Networks to Answer WSOU's Complaint in this Action from January 5, 2021 to January 28,
3 2021 (Dkt. 44), which was granted on January 13, 2021 (Dkt. 45);

4 WHEREAS, F5 Networks has not yet answered WSOU's Complaints in the E.D. Va.
5 Actions;

6 WHEREAS F5 Networks's deadline to answer WSOU's Complaints in the E.D. Va.
7 Actions was previously extended from January 5, 2021 February 5, 2021 (E.D. Va. Action 1,
8 Dkts. 28 & 29; E.D. Va. Action 2, Dkts. 28 & 29; E.D. Va. Action 3, Dkts. 29 & 30; E.D. Va.
9 Action 4, Dkts. 28 & 29);

10 WHEREAS, WSOU intends to voluntarily dismiss without prejudice the E.D. Va.
11 Actions pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), and re-file the E.D. Va.
12 Actions in the United States District Court for the Western District of Washington;

13 WHEREAS, the Parties agree that WSOU's voluntary dismissals without prejudice shall
14 have no effect whatsoever on WSOU's right to dismiss any of the E.D. Va. Actions without
15 prejudice in the future, including WSOU's right to dismiss any of them without prejudice in the
16 United States District Court for the Western District of Washington;

17 WHEREAS, in light of the E.D. Va. Actions to be re-filed in United States District Court
18 for the Western District of Washington, the Parties agree to further extend the time for F5
19 Networks's answer to WSOU's Complaint in this Action to February 28, 2021; and

20 WHEREAS, the Parties agree that F5 Networks shall answer WSOU's Complaints in the
21 forthcoming actions to be re-filed from the United States District Court for the Eastern District of
22 Virginia by February 28, 2021.

23 IT IS HEREBY STIPULATED AND AGREED, by among the Parties and their
24 respective counsel of record, with the permission of the Court, that (1) WSOU's voluntary
25 dismissals of the E.D. Va. Actions without prejudice shall have no effect whatsoever on

STIPULATION REGARDING FORTHCOMING ACTIONS
AND TO FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER PLAINTIFF'S COMPLAINT - 3
(CASE NO. 2:20-CV-01878-BJR)

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 WSOU's right to dismiss any of the E.D. Va. Actions without prejudice in the future, including
2 WSOU's right to dismiss any of them without prejudice in the United States District Court for
3 the Western District of Washington, (2) F5 Networks's deadline to answer WSOU's Complaint
4 in this Action is February 28, 2021, and (3) F5 Networks's deadline to answer WSOU's
5 Complaints in the forthcoming actions to be re-filed from the United States District Court for the
6 Eastern District of Virginia is February 28, 2021.

7 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STIPULATION REGARDING FORTHCOMING ACTIONS
AND TO FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER PLAINTIFF'S COMPLAINT - 4
(CASE NO. 2:20-CV-01878-BJR)

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

Dated: January 27, 2021

By: s/ Ramsey M. Al-Salam
 Ramsey M. Al-Salam, WSBA No. 18822
 RAlSalam@perkinscoie.com
PERKINS COIE LLP
 1201 Third Avenue, Suite 4900
 Seattle, WA 98101-3099
 Telephone: (206) 359-8000

Stephen E. Baskin (VA Bar No. 47567)
 sbaskin@kslaw.com
KING & SPALDING LLP
 1700 Pennsylvania Avenue, NW
 2nd Floor
 Washington, DC 20006-4707
 Telephone: (202) 626-2938

D. Shane Brun (CA Bar No. 179079)
 sbrun@kslaw.com
 (Pro hac vice forthcoming)
KING & SPALDING LLP
 601 California Avenue, Suite 100
 Palo Alto, CA 94304
 Telephone: (415) 318-1245

Angela Tarasi (CO Bar No. 45250)
 atarasi@kslaw.com
KING & SPALDING LLP
 1400 16th Street
 16 Market Square
 Suite 400
 Denver, CO 80202
 Telephone: (720) 535-2319

**Attorneys for Defendant
 F5 NETWORKS, INC.**

By: s/ Blake Marks-Dias
 Blake Marks-Dias, WSBA No. 28169
 bmarks-dias@corrcronin.com
 Eric A. Lindberg, WSBA No. 43596
 elindberg@corrcronin.com
CORR CRONIN LLP
 1001 Fourth Avenue, Suite 3900
 Seattle, WA 98154
 Telephone: (206) 625-8600

Jonathan K. Waldrop (CA Bar No. 297903)
 (Admitted *pro hac vice*)
 jwaldrop@kasowitz.com
 Darcy L. Jones (CA Bar No. 309474)
 (Admitted *pro hac vice*)
 djones@kasowitz.com
 Marcus A. Barber (CA Bar No. 307361)
 (Admitted *pro hac vice*)
 mbarber@kasowitz.com
 John W. Downing (CA Bar No. 252850)
 (Admitted *pro hac vice*)
 jdowning@kasowitz.com
 Heather S. Kim (CA Bar No. 277686)
 (Admitted *pro hac vice*)
 hkim@kasowitz.com
 Jack Shaw (CA Bar No. 309382)
 (Admitted *pro hac vice*)
 jshaw@kasowitz.com
 ThucMinh Nguyen (CA Bar No. 304382)
 (Admitted *pro hac vice*)
 tnguyen@kasowitz.com
KASOWITZ BENSON TORRES LLP
 333 Twin Dolphin Drive, Suite 200
 Redwood Shores, California 94065
 Telephone: (650) 453-5170

Paul G. Williams (GA Bar No. 764925)
 (Admitted *pro hac vice*)
 pwilliams@kasowitz.com
KASOWITZ BENSON TORRES LLP
 1230 Peachtree Street N.E., Suite 2445
 Atlanta, Georgia 30309
 Telephone: (404) 260-6080

**Attorneys for Plaintiff
 WSOU INVESTMENTS, LLC d/b/a
 BRAZOS LICENSING AND
 DEVELOPMENT**

STIPULATION REGARDING FORTHCOMING ACTIONS
 AND TO FURTHER EXTEND THE TIME FOR
 DEFENDANT TO ANSWER PLAINTIFF'S COMPLAINT - 5
 (CASE NO. 2:20-CV-01878-BJR)

CORR CRONIN LLP
 1001 Fourth Avenue, Suite 3900
 Seattle, Washington 98154-1051
 Tel (206) 625-8600
 Fax (206) 625-0900

ORDER

Based on the foregoing, IT IS SO ORDERED that:

(1) WSOU Investments, LLC d/b/a Brazos Licensing and Development's ("WSOU") voluntary dismissals of *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00719-JAG, *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00720-JAG, *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00721-JAG, and *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00724-JAG (collectively, "E.D. Va. Actions") without prejudice shall have no effect whatsoever on WSOU's right to dismiss any of the E.D. Va. Actions without prejudice in the future, including WSOU's right to dismiss any of them without prejudice in the United States District Court for the Western District of Washington;

(2) Defendant F5 Networks, Inc.'s ("F5 Networks") time to answer WSOU's Complaint in this Action is extended to February 28, 2021; and

(3) F5 Networks's deadline to answer WSOU's Complaints in the forthcoming actions to be re-filed from the United States District Court for the Eastern District of Virginia is February 28, 2021.

DATED: January 28, 2021



HON. BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE

STIPULATION RE FORTHCOMING ACTIONS
AND TO FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER PLAINTIFF'S COMPLAINT- 6
(CASE NO. 2:20-CV-01878-BJR)

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900